

WINSTON & STRAWN LLP
The Legal Center
One Riverfront Plaza, Suite 730
Newark, New Jersey 07102
(973) 848-7676
James S. Richter
Melissa Steedle Bogad

Attorneys for Defendants
Natco Pharma Ltd., Arrow International Ltd.,
and Watson Laboratories, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

_____	X	
CELGENE CORPORATION,	:	
	:	Honorable Susan D. Wigenton, U.S.D.J.
	:	
Plaintiff,	:	Civil Action No. 10 CV 5197 (SDW) (MCA)
	:	
v.	:	
NATCO PHARMA LIMITED,	:	ORDER TO SEAL CERTAIN PORTIONS
ARROW INTERNATIONAL LIMITED,	:	OF DEFENDANTS' RESPONSIVE CLAIM
and WATSON LABORATORIES, INC.	:	CONSTRUCTION BRIEF
	:	AND EXHIBIT G TO THE BOGAD
	:	DECLARATION SUBMITTED
	:	THEREWITH
Defendants.	:	
	:	
_____	X	
NATCO PHARMA LIMITED,	:	
ARROW INTERNATIONAL LIMITED,	:	
and WATSON LABORATORIES, INC.	:	
	:	
Counterclaim Plaintiffs,	:	
	:	
v.	:	
CELGENE CORPORATION,	:	
	:	
Counterclaim Defendant.	:	
_____	X	

THIS MATTER, being opened to the Court by Winston & Strawn LLP, attorneys for Defendants Natco Pharma Ltd., Arrow International Ltd., and Watson Laboratories, Inc. (collectively, "Defendants"), by way of Defendants' ^{unopposed} Motion to Seal certain portions of their Responsive Claim Construction Brief and Exhibit G to the Bogad Declaration submitted therewith; the Court having considered the submission, proposed sealed information, Local Civil Rule 5.3, and the governing case law; and the Court having considered the factors contained in Local Civil Rule 5.3(c)(2), the Court makes the following Findings of Fact and Conclusions of Law:

- a. To protect the confidentiality of information produced by way of discovery, the parties entered into a Discovery Confidentiality Order;
- b. Under the Discovery Confidentiality Order dated February 14, 2011, the party wishing to use material previously designated as "Confidential" or "Highly Confidential" under the Discovery Confidentiality Order must file a motion with the Court for leave to file the submission under seal pursuant to Local Civil Rule 5.3(c) (D.I. 36 ¶ 11);
- c. On April 8, 2014, Defendants filed their Responsive Claim Construction Brief and Exhibit G to the Bogad Declaration submitted therewith with the Court, which disclose and/or refer to deposition testimony currently treated as "Highly Confidential Information" pursuant to the Discovery Confidentiality Order (*see id.* ¶ 2);
- d. Defendants have complied with the terms of the Discovery Confidentiality Order by filing a motion to seal the confidential information disclosed and/or referenced in the above-mentioned documents pursuant to Local Civil Rule 5.3(c);

- e. There is no less restrictive alternative available than to seal such information because the request to seal is limited in scope and includes only Exhibit G and certain portions of Defendants' Responsive Claim Construction Brief that references information contained in that Exhibit;

WHEREFORE, the Court having found that the relief sought is warranted; and for good cause shown,

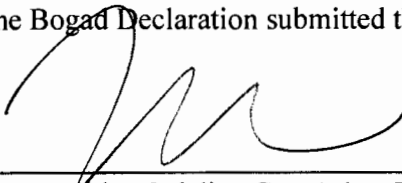
IT IS on this 28th day of April, 2014

ORDERED as follows:

1. Defendants' ^{unopposed} Motion to Seal certain portions of their Responsive Claim Construction Brief and Exhibit G to the Bogad Declaration submitted therewith is granted.

2. The following materials are hereby sealed:

- a. Confidential portions of Defendants' Responsive Claim Construction Brief and Exhibit G to the Bogad Declaration submitted therewith.



Honorable Madeline Cox Arleo, U.S.M.J.